

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WAYNE NELSON	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, DET. MILES # 8060 and DET. MACCLAIN # 8094	:	NO. 17-1970

ORDER

NOW, this 29th day of August, 2017, upon consideration of the Defendants' Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim (Document No. 3), it is **ORDERED** that the motion is **GRANTED**.

IT IS FURTHER ORDERED as follows:

1. The Complaint is **DISMISSED**;
2. The plaintiff is granted leave to file an amended complaint no later than September 29, 2017; and
3. Failure to file an amended complaint within the time required will result in the dismissal of this action with prejudice.

/s/TIMOTHY J. SAVAGE